

day. The House will need no arguments to be advanced to lead them to a sense of justice and right towards these Indians. I do not for one moment desire to seem to intimate that the Government are at all lacking in that matter, but there is this difficulty, I suppose, connected with it: that the First Minister being the Superintendent General of Indian Affairs and the First Minister of the country, has a very great deal to attend to, and perhaps he has not even himself as fully investigated this claim as we might hope to be able to investigate it were a committee granted. The Six Nation Indians being in a peculiar position, standing rather in a peculiar position as wards of the nation, of course it is understood that the Superintendent General himself shall exercise peculiar care and regard for them, though I am not insensible to the fact that, while he stands in that relation to the Indians, and is thus bound to protect all their rights, as head of the Government he has to do what is just and right as between other parts of the community. Nor do I think these Indians desire that anything which they do not believe they are fully entitled to should be done; nor would I be found advocating any claim which I did not believe was founded on justice and equity; nor do I pronounce in any way on the subject, because I have not access to all the documents in regard to it. But these Indians feel that their claim is good, and I believe it is unanimous amongst them, and the correspondence which has taken place, and the answers they have received have not been of such a nature as to satisfy them. My object is to get all the facts in connection with these matters before us, so that we may be in a position to summon representatives of the Six Nations before us who would have an opportunity of stating their case before a committee, which would have the opportunity itself of examining all these different documents. I have no doubt that, if the claim can be established to be a good one, the Commons of Canada, acting in a proper manner, will grant to these Indians what is their right; and I feel equally sure that, if it is made apparent and plain to them that their claim is one which is not founded in justice and in equity, they would be perfectly satisfied after having had this full opportunity of investigating the matter and being assured of that result. But I assure the First Minister and members of this House that, unless this be done, unless some way be adopted in which they can have access to these documents and can have a full understanding of this matter, there will be a feeling of uneasiness, a feeling that they have been imposed upon, that the Government and Parliament of Canada have been careless in reference to their demands and have not given them that which they deem to be their rights. I am not insensible to the fact that it would have been a proper thing to place the name of the First Minister, as Superintendent General of Indian Affairs, as the first name upon this committee, but I hesitated to do so, knowing how fully his time is occupied elsewhere. I have understood that the hon. member for North Simcoe (Mr. McCarthy) has had a good deal of experience with Indian matters, and, as the hon. member for Bothwell (Mr. Mills) is unwilling that his name should be put on, I would, with the consent of the House, if the First Minister declines to have his name upon the committee, substitute the name of Mr. McCarthy, of North Simcoe, in place of the name of the Hon. Mr. Mills.

Sir JOHN A. MACDONALD. I do not at all object to the hon. gentleman bringing the subject up; indeed I think the petition having been placed in his hands, he could not do otherwise than to bring it before Parliament. I think, however, that instead of moving for a committee in the first place, he ought to have moved to have papers laid on the Table of the House, all the papers, in order that they might be referred to a committee of the House, and disposed of in the ordinary way. The mere power of a committee

to send for papers and records is not regular, nor has it the force of giving possession for any practical purpose, of the papers and records of the Government. The hon. gentleman is quite right in stating that it is the duty of the Indian Department to protect the rights of the Indians. The Department is supposed to be the guardian—or, rather, the Sovereign is supposed to be, and is, the guardian of the rights of the Indians of Canada; and it is the pride of Canada, and of all Administrations, that the Indians, on the whole, have been fairly and liberally attended to. This question, however, is surrounded with a great deal of difficulty. In the first place, it is a very old one—three-quarters of a century old, at least, and has been before the old Province of Upper Canada, before the Province of United Canada, and now it is brought up here. The question is a legal one, and a committee cannot well decide a question of title. It is simply a question of title, and is one of a very considerable magnitude with respect to the pecuniary interests involved in the settlement of this claim. The lands which are claimed by the Six Nations now are not in the possession of the Crown. They belong to other parties, and have belonged for many years, and it comes to this simply, that if this land belongs to the Indians and is improperly disposed of, the Province of Ontario must make compensation to these Indians for the value of these lands. Well, the hon. gentleman opposite shakes his head. Somebody has got to make compensation; the lands have been sold or disposed of; they cannot be transferred to these Indians, because they belong to other people, and therefore if the Indians have been wrongfully dispossessed of these lands, of course they must be compensated either by the Dominion Parliament, or the united Province of Canada, or the old Province of Upper Canada. It is simply a matter of title, and it can only be decided by the courts. The Indians have applied again and again, and Government after Government have decided and have declared that the Indians have no legal nor equitable claim, and I fancy that if it is pressed it will have to go to the Supreme Court in some way or another in order to be decided. The Six Nation Indians, after having brought it up before several Governments for many years, applied to Her Majesty's Government, and they have relegated it here for reconsideration. The matter has been lately before me, and I have carefully examined the papers. I do not wish to express an opinion at this moment, either for or against the claim of the Six Nations. The most proper way and the only satisfactory way of deciding this question, is by having it brought in some way before the Supreme Court—whether by submitting it in the way of a question, or by the Department of Indian Affairs asking for a fiat as against the Crown to have the subject before the Supreme Court, I am not prepared to say. I thought, perhaps, when the hon. gentleman moved just now, that he would have some statement or argument which he had received from his constituents—I will not say his clients—that would throw some light on the subject. The hon. gentleman very naturally said he had no information further than he had gathered from that petition; therefore we are not in a position to grant that committee. I would prefer that the hon. gentleman, instead of moving for a committee, should move for the papers, and I shall see that they are all brought down. They are very important and very interesting, for there is a very interesting question connected with this grant, or supposed grant, from the Lieutenant Governor—I think Lieutenant Governor Haldimand—to the Indians; but we do not know its extent, nor its value, nor what was really conveyed, or promised to be conveyed, to the Indians, and I think, with the consent of the House, the hon. gentleman had better alter his motion and make it a motion for the papers in the meantime. As a reference from England has only arrived lately, or within a very short time, the Government will consider